

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 FIFTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 5, 1999

The House of Representatives convened at 9:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Scott Fuller, Trinity Lutheran Church, St. Peter, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorman	Holberg	Lieder	Ozment	Swenson
Abrams	Dorn	Holsten	Lindner	Paulsen	Sykora
Anderson, B.	Entenza	Howes	Luther	Pawlenty	Tingelstad
Anderson, I.	Erhardt	Huntley	Mahoney	Pelowski	Tomassoni
Bakk	Erickson	Jaros	Mares	Peterson	Trimble
Biernat	Finseth	Jennings	Mariani	Pugh	Tuma
Bishop	Folliard	Johnson	Marko	Rest	Tunheim
Boudreau	Fuller	Juhnke	McCollum	Reuter	Van Dellen
Bradley	Gerlach	Kahn	McElroy	Rifenberg	Vandever
Broecker	Gleason	Kalis	McGuire	Rostberg	Wagenius
Buesgens	Goodno	Kelliher	Milbert	Rukavina	Wejman
Carlson	Gray	Kielkucki	Molnau	Schumacher	Wenzel
Carruthers	Greenfield	Knoblach	Mulder	Seagren	Westerberg
Cassell	Greiling	Koskinen	Mullery	Seifert, J.	Westfall
Chaudhary	Gunther	Krinkie	Murphy	Seifert, M.	Wilkin
Clark, J.	Haake	Kubly	Ness	Skoe	Winter
Clark, K.	Haas	Kuisle	Nornes	Skoglund	Workman
Daggett	Hackbarth	Larsen, P.	Olson	Smith	Spk. Sviggum
Davids	Harder	Larson, D.	Opatz	Solberg	
Dawkins	Hasskamp	Leighton	Orfield	Stanek	
Dehler	Hausman	Lenczewski	Osskopp	Stang	
Dempsey	Hilty	Leppik	Otremba	Storm	

A quorum was present.

Rhodes was excused.

Wolf was excused until 9:20 a.m. Osthoff was excused until 10:10 a.m. Munger was excused until 10:25 a.m. Westrom was excused until 11:45 a.m. Paymar was excused until 11:50 a.m.

The Speaker called Abrams to the Chair.

The Chief Clerk proceeded to read the Journal of the preceding day. Hilty moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
1463		113	1:50 p.m. May 3	May 3
480		114	1:53 p.m. May 3	May 3
1012		115	1:55 p.m. May 3	May 3
1368		116	1:58 p.m. May 3	May 3
496		117	2:00 p.m. May 3	May 3

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 616, A bill for an act relating to education; providing for general obligation debt to prepay special assessments; amending Minnesota Statutes 1998, section 123B.61.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1877, A bill for an act relating to public employees; ratifying certain labor agreements and compensation plans; providing for transfer of vacation and sick leave for certain employees; authorizing commissioner of employee relations to establish special salary rates for certain employees; modifying per diem provision for special mediators; modifying definition of public employee; modifying procedures for the listing of arbitrators; making technical changes; amending Minnesota Statutes 1998, sections 3.096; 43A.17, subdivision 4; 179.02, subdivision 2; 179A.03, subdivision 14; 179A.04, subdivision 3; 179A.10, subdivision 1; and 179A.16, subdivision 2; repealing Minnesota Statutes 1998, section 43A.17, subdivision 12.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 616 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wagenius, Skoglund, Greiling, Entenza and Jaros introduced:

H. F. No. 2434, A bill for an act relating to public safety; allowing political subdivisions to regulate firearms with certain restrictions; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Davids introduced:

H. F. No. 2435, A bill for an act relating to workers' compensation; making the workers' compensation reinsurance association a division of the department of commerce; transferring certain powers and responsibilities; amending Minnesota Statutes 1998, sections 79.34, subdivisions 1, 2, 2a, and 6; 79.35; 79.36; 79.361, subdivision 1; 79.37; 79.371, subdivision 2; and 79.38, subdivision 1; repealing Minnesota Statutes 1998, sections 79.362; 79.371, subdivision 1; 79.38, subdivisions 2 and 3; and 79.39.

The bill was read for the first time and referred to the Committee on Commerce.

Dawkins introduced:

H. F. No. 2436, A bill for an act relating to animals; changing disposition of certain animals; providing for preservation of certain evidence; changing regulation of dangerous dogs; amending Minnesota Statutes 1998, sections 343.12; 343.235, subdivisions 1 and 3; 347.50; 347.51; 347.52; 347.53; 347.54, subdivisions 1 and 2; and 347.55; proposing coding for new law in Minnesota Statutes, chapters 343; and 347; repealing Minnesota Statutes 1998, section 347.54, subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1414, A bill for an act relating to human services; making changes to deaf and hard-of-hearing services division; modifying interpreter services; amending Minnesota Statutes 1998, sections 237.51, subdivision 5a; 256C.233, subdivisions 1 and 2; and 256C.25.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 60, A bill for an act relating to health; allowing reimbursement for supplemental private duty nursing services provided by spouses of recipients under the community alternative care home and community-based waived services program; amending Minnesota Statutes 1998, section 256B.49, by adding a subdivision.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 371, A bill for an act relating to local government; removing the limit on the amount a local government may contribute for historical work; permitting local governments to make contributions to public or private, nonprofit senior citizen centers or youth centers; amending Minnesota Statutes 1998, section 471.93; proposing coding for new law in Minnesota Statutes, chapter 471.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 726, A bill for an act relating to capital improvements; providing standards for state assistance to capital improvement projects of political subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A.

The Senate has appointed as such committee:

Senators Cohen, Wiener and Laidig.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2333, A bill for an act relating to education; prekindergarten through grade 12; providing for general education; special programs; lifework development; facilities and technology; education excellence; other programs; nutrition programs; libraries; education policy; and state agencies; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 43A.18, subdivision 4a; 119A.01, subdivisions 1 and 2; 120A.22, subdivision 5; 120A.24, subdivision 1; 120A.41; 121A.15, subdivision 1; 121A.23; 121A.45, subdivision 2; 122A.07, subdivision 1; 122A.18, by adding a subdivision; 122A.28; 122A.60, subdivision 3; 122A.61, subdivisions 1 and 2; 123A.05, subdivision 2; 123A.48, subdivision 10; 123B.195; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.53, subdivisions 4, 5, and 6; 123B.54; 123B.57, subdivision 4; 123B.61; 123B.75, by adding a subdivision; 123B.79, by adding a subdivision; 123B.92, subdivision 9; 123B.93; 124C.55, by adding a subdivision; 124D.10, subdivisions 3, 4, 5, 6, 10, 11, and by adding a subdivision; 124D.11, subdivisions 4, 6, 7, 8, and by adding a subdivision; 124D.453, subdivision 3; 124D.454; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.87; 124D.88, subdivision 3; 124D.94, subdivisions 3, 6, and 7; 125A.09, subdivision 4; 125A.50, subdivisions 2 and 5; 125A.75, subdivision 8; 125A.76, subdivisions 1, 4, and 5; 125A.79, subdivisions 1, 2, and by adding subdivisions; 125B.05, subdivision 3; 125B.20; 126C.05, subdivisions 1, 3, 15, and by adding a subdivision; 126C.10, subdivisions 1, 2, 3, 4, 10, 14, 19, 21, and by adding subdivisions; 126C.12; 126C.13, subdivisions 1 and 2; 126C.15; 126C.17, subdivisions 2, 5, and 6; 126C.40, subdivision 4; 126C.42, subdivisions 1 and 2; 126C.46; 126C.63, subdivisions 5 and 8; 126C.69, subdivisions 2 and 9; 127A.44, subdivision 2; 127A.45, subdivisions 2, 3, 4, 13, and by adding a subdivision; 127A.47, subdivisions 2 and 7; 127A.49, subdivisions 2 and 3; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; 128C.20; and 626.556, by adding a subdivision; Laws 1993, chapter 224, article 3, section 32, as amended; Laws 1995, First Special Session chapter 3, article 12, section 7, as amended; Laws 1996, chapter 412, article 1, section 35; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 1, 2, 3, as amended, and 4; article 2, section 51, subdivision 29, as amended; article 8, section 4; article 9, section 13; and Laws 1998, chapter 397, article 12, section 8; chapter 398, article 6, sections 38 and 39; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 124D; 125A; 125B; 128C; and 134; repealing Minnesota Statutes 1998, sections 120B.05; 122A.31, subdivision 4; 123B.05; 123B.64, subdivisions 1, 2, 3, and 4; 123B.92, subdivisions 2, 4, 6, 7, 8, and 10; 124D.112; 124D.113; 124D.116; 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; 124D.32; 124D.453; 124D.65, subdivision 3; 124D.67; 124D.70; 124D.90; 125A.76, subdivision 6; 125A.77; 125A.79, subdivision 3; 126C.05, subdivision 4; 126C.06; 127A.45, subdivision 5; 134.155; 135A.081; Laws 1995, First Special Session chapter 3, article 3, section 11; Laws 1997, First Special Session chapter 4, article 1, section 62, subdivision 5; article 2, section 51, subdivision 10; article 3, section 5; and article 8, section 5; and Laws 1998, chapter 398, article 2, section 57.

The Senate has appointed as such committee:

Senators Pogemiller, Scheid, Pappas, Scheevel and Robertson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2420, A bill for an act relating to financing state and local government; providing a sales tax rebate; reducing individual income tax rates; making changes to income, sales and use, property, excise, mortgage registry and deed, health care provider, motor fuels, cigarette and tobacco, liquor, insurance premiums, aircraft registration, lawful gambling, taconite production, solid waste, and special taxes; establishing an agricultural homestead credit; changing and allowing tax credits, subtractions, and exemptions; changing property tax valuation, assessment, levy, classification, homestead, credit, aid, exemption, review, appeal, abatement, and distribution provisions; extending levy limits and changing levy authority; providing for reverse referenda on certain levy increases; phasing out health care provider taxes; extending the suspension of the tax on certain insurance premiums; reducing tax rates on lawful gambling; changing tax increment financing law and providing special authority for certain cities; authorizing water and sanitary sewer districts; providing for the funding of courts in certain judicial districts; changing tax forfeiture and delinquency provisions; changing and clarifying tax administration, collection, enforcement, and penalty provisions; freezing the taconite production tax and providing for its distribution; providing for funding for border cities; changing fiscal note requirements; providing for deposit of tobacco settlement funds; providing for allocation of certain budget surpluses; requiring studies; establishing a task force; and providing for appointments; transferring funds; appropriating money; amending Minnesota Statutes 1998, sections 3.986, subdivision 2; 3.987, subdivision 1; 16A.152, subdivision 2, and by adding a subdivision; 16A.1521; 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 92.51; 97A.065, subdivision 2; 214.16, subdivisions 2 and 3; 270.07, subdivision 1; 270.65; 270.67, by adding a subdivision; 270B.01, subdivision 8; 270B.14, subdivision 1, and by adding a subdivision; 271.01, subdivision 5; 271.21, subdivision 2; 272.02, subdivision 1; 272.027; 272.03, subdivision 6; 273.11, subdivisions 1a and 16; 273.111, by adding a subdivision; 273.124, subdivisions 1, 7, 8, 13, 14, and by adding a subdivision; 273.13, subdivisions 22, 23, 24, 25, 31, and by adding a subdivision; 273.1382; 273.1398, subdivisions 2, 8, and by adding a subdivision; 273.1399, subdivision 6; 273.20; 274.01, subdivision 1; 275.065, subdivisions 3, 5a, 6, 8, and by adding a subdivision; 275.07, subdivision 1; 275.71, subdivisions 2, 3, and 4; 276.131; 279.37, subdivisions 1, 1a, and 2; 281.23, subdivisions 2, 4, and 6; 282.01, subdivisions 1, 4, and 7; 282.04, subdivision 2; 282.05; 282.08; 282.09; 282.241; 282.261, subdivision 4, and by adding a subdivision; 283.10; 287.01, subdivision 3, as amended; 287.05, subdivisions 1, as amended, and 1a, as amended; 289A.02, subdivision 7; 289A.18, subdivision 4; 289A.20, subdivision 4; 289A.31, subdivision 2; 289A.40, subdivisions 1 and 1a; 289A.50, subdivision 7, and by adding a subdivision; 289A.56, subdivision 4; 289A.60, subdivisions 3 and 21; 290.01, subdivisions 7, 19, 19a, 19b, 19f, 31, and by adding a subdivision; 290.06, subdivisions 2c, 2d, and by adding subdivisions; 290.0671, subdivision 1; 290.0672, subdivision 1; 290.0674, subdivisions 1 and 2; 290.091, subdivisions 1, 2, and 6; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivisions 3, 4, and 6; 290.191, subdivisions 2 and 3; 290.9725; 290.9726, by adding a subdivision; 290A.03, subdivisions 3 and 15; 290B.03, subdivision 1; 290B.04, subdivisions 3 and 4; 290B.05, subdivision 1; 291.005, subdivision 1; 295.50, subdivision 4; 295.52, subdivision 7; 295.53, subdivision 1; 295.55, subdivisions 2 and 3; 296A.16, by adding subdivisions; 297A.01, subdivision 15; 297A.15, subdivision 5; 297A.25, subdivisions 9, 11, 63, 73, and by adding subdivisions; 297A.48, by adding a subdivision; 297B.01, subdivision 7; 297B.03; 297E.01, by adding a subdivision; 297E.02, subdivisions 1, 3, 4, and 6; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.05; 297H.06, subdivision 2; 298.24, subdivision 1; 298.28, subdivision 9a; 299D.03, subdivision 5; 357.021, subdivision 1a; 360.55, by adding a subdivision; 375.192, subdivision 2; 383C.482, subdivision 1; 465.82, by adding a subdivision; 469.169,

subdivision 12, and by adding a subdivision; 469.1735, by adding a subdivision; 469.176, subdivision 4g; 469.1763, by adding a subdivision; 469.1771, subdivision 1, and by adding a subdivision; 469.1791, subdivision 3; 469.1813, subdivisions 1, 2, 3, 6, and by adding a subdivision; 469.1815, subdivision 2; 473.249, subdivision 1; 473.252, subdivision 2; 473.253, subdivision 1; 477A.03, subdivision 2; 477A.06, subdivision 1; 485.018, subdivision 5; 487.02, subdivision 2; 487.32, subdivision 3; 487.33, subdivision 5; and 574.34, subdivision 1; Laws 1988, chapter 645, section 3; Laws 1997, chapter 231, article 1, section 19, subdivisions 1 and 3; Laws 1997, chapter 231, article 3, section 9; Laws 1997, First Special Session chapter 3, section 27; Laws 1997, Second Special Session chapter 2, section 6; Laws 1998, chapter 389, article 1, section 1; and Laws 1998, chapter 389, article 8, section 44, subdivisions 5, 6, and 7, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 62Q; 256L; 275; 297A; 469; and 473; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 16A.724; 16A.76; 92.22; 144.1484, subdivision 2; 256L.02, subdivision 3; 273.11, subdivision 10; 280.27; 281.13; 281.38; 284.01; 284.02; 284.03; 284.04; 284.05; 284.06; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; 295.59; 297E.12, subdivision 3; 297F.19, subdivision 4; 297G.18, subdivision 4; and 473.252, subdivisions 4 and 5; Laws 1997, chapter 231, article 1, section 19, subdivision 2; and Laws 1998, chapter 389, article 3, section 45.

The Senate has appointed as such committee:

Senators Johnson, D. J.; Vickerman; Murphy; Hottinger and Belanger.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1762, 615, 1636 and 1721.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1762, A bill for an act relating to transportation; modifying state contract requirements; allowing department of transportation to contract for land surveying; clarifying requirements for notaries and filing corrections to maps and plats relating to highways; providing for transfer of certain revolving loan accounts to transportation revolving loan fund; correcting trunk highway route description; modifying filing requirements for highway route location orders; increasing dollar amount for contracts negotiated by commissioner of transportation for highway construction or maintenance work; modifying provisions for estimates and agency costs relating to county state-aid highway and municipal state-aid street funds; authorizing commissioner of transportation to determine dates for seasonal load restrictions; modifying provision requiring certification for disbursement from state transportation fund; requiring commissioner of transportation to be responsible for design, construction, and operation of commuter rail; establishing design approval process for commuter rail; creating commuter rail corridor coordinating committee; changing period of hours of service exemption for drivers transporting sugar beets; authorizing commissioner to convey excess rail bank corridor land to state agency or political subdivision; modifying provisions governing state grants for local airports; limiting powers and duties of counties with respect to light rail and commuter rail transit planning; modifying deadlines for metropolitan transit performance evaluation reports by metropolitan council; establishing priority order for light rail transit construction; requiring metropolitan council to develop regional master plan for transit; making technical corrections;

appropriating money; amending Minnesota Statutes 1998, sections 16C.05, subdivision 2; 16C.09; 160.085, subdivisions 1 and 1a; 161.04, subdivision 3, and by adding a subdivision; 161.115, subdivision 164; 161.16, subdivision 2; 161.32, subdivision 2; 162.06, subdivisions 1, 2, and 6; 162.12, subdivisions 1, 2, and 5; 169.87, subdivision 2; 174.02, by adding a subdivision; 174.50, subdivision 5; 221.0314, subdivision 9a; 222.63, subdivision 4; 360.0151, subdivision 2; 360.032, subdivision 1a; 360.305, subdivision 4; 398A.04, subdivision 2; 446A.085, subdivisions 3 and 6; 473.1466; 473.399; 473.3993, subdivision 3; and 473.3994, subdivisions 3, 4, and 10; Laws 1998, chapter 404, section 17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 1998, sections 169.832, subdivision 13; 473.3994, subdivision 12; and 473.3998.

The bill was read for the first time.

Workman moved that S. F. No. 1762 and H. F. No. 1551, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 615, A bill for an act relating to local government; providing for the appointment of various employees of the Minneapolis park and recreation board; authorizing the city of Lakeville to change its general municipal elections to even-numbered years; amending Laws 1969, chapter 1024, section 1, as amended.

The bill was read for the first time.

Mullery moved that S. F. No. 615 and H. F. No. 526, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1636, A bill for an act relating to governmental operations; providing for regulatory relief for local units of government; proposing coding for new law in Minnesota Statutes, chapter 14.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 1721, A bill for an act relating to public employees; ratifying certain labor agreements and compensation plans; providing for transfer of vacation and sick leave for certain employees; modifying per diem provision for special mediators; modifying procedures for the listing of arbitrators; exempting epidemiologists from a salary cap; making technical changes; amending Minnesota Statutes 1998, sections 3.096; 43A.17, subdivision 4; 179.02, subdivision 2; 179A.03, subdivision 14; 179A.04, subdivision 3; 179A.10, subdivision 1; and 179A.16, subdivision 2; repealing Minnesota Statutes 1998, section 43A.17, subdivision 12.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2205:

Knoblach, Dempsey, Daggett, Rifenberg and Kalis.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately preceding the remaining bills on the Calendar for the Day, for Wednesday, May 5, 1999:

S. F. Nos. 441 and 23; H. F. Nos. 1015 and 1932; S. F. Nos. 2052 and 9; H. F. No. 665; and S. F. Nos. 746, 346, 2120, 1180, 685, 71 and 369.

CALENDAR FOR THE DAY

S. F. No. 441 was reported to the House.

Molnau moved that S. F. No. 441 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 23, A bill for an act relating to family law; repealing the administrative process for support orders; establishing a child support magistrate system; amending Minnesota Statutes 1998, sections 357.021, subdivision 1a; 484.70, subdivision 1; 518.54, by adding a subdivision; 518.551, subdivisions 9, 12, 13, and 14; 518.575, subdivision 1; 518.616, subdivision 1; and 552.05, subdivision 10; Laws 1998, chapter 338, section 8; proposing coding for new law in Minnesota Statutes, chapters 484; and 518; repealing Minnesota Statutes 1998, sections 518.5511; and 518.5512.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holsten	Lieder	Ozment	Storm
Abrams	Dorn	Howes	Lindner	Paulsen	Swenson
Anderson, B.	Entenza	Huntley	Luther	Pawlenty	Sykora
Anderson, I.	Erhardt	Jaros	Mahoney	Pelowski	Tomassoni
Bakk	Erickson	Jennings	Mares	Peterson	Trimble
Biernat	Finseth	Johnson	Marko	Pugh	Tuma
Boudreau	Fuller	Juhnke	McCollum	Rest	Tunheim
Bradley	Gerlach	Kahn	McElroy	Reuter	Van Dellen
Broecker	Gleason	Kalis	McGuire	Rifenberg	Vandever
Buesgens	Goodno	Kelliher	Milbert	Rostberg	Wagenius
Carlson	Gray	Kielkucki	Molnau	Rukavina	Wejcmán
Carruthers	Greenfield	Knoblach	Mulder	Schumacher	Wenzel
Cassell	Greiling	Koskinen	Mullery	Seagren	Westerberg
Chaudhary	Gunther	Krinkie	Murphy	Seifert, J.	Westfall
Clark, J.	Haake	Kubly	Ness	Seifert, M.	Wilkin
Clark, K.	Haas	Kuisle	Nornes	Skoe	Winter
Daggett	Hackbarth	Larsen, P.	Olson	Skoglund	Wolf
Davids	Harder	Larson, D.	Opatz	Smith	Workman
Dawkins	Hasskamp	Leighton	Orfield	Solberg	Spk. Sviggum
Dehler	Hausman	Lenczewski	Osskopp	Stanek	
Dempsey	Hilty	Leppik	Otremba	Stang	

The bill was passed and its title agreed to.

H. F. No. 1015 was reported to the House.

McElroy moved that H. F. No. 1015 be temporarily laid over on the Calendar for the Day. The motion prevailed.

H. F. No. 1932 was reported to the House.

Dawkins moved to amend H. F. No. 1932, the first engrossment, as follows:

Page 4, after line 33, insert:

"Sec. 4. [325F.661] [AUTOMOBILE RENTAL; AGE DISCRIMINATION.]

Subdivision 1. [DEFINITION.] For purposes of this section, "auto rental company" means a corporation, partnership, individual, or other person that is engaged primarily in the renting of motor vehicles at per diem rates.

Subd. 2. [PROHIBITION.] An auto rental company shall not refuse to rent a motor vehicle to a person at least 21 years of age solely on the basis of that person's age.

Subd. 3. [CIVIL REMEDIES.] An auto rental company found to have violated this section is subject to the penalties and remedies, including a private right of action, as provided in section 8.31."

Amend the title accordingly

Jennings moved that H. F. No. 1932 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 2052, A bill for an act relating to claims against the state; providing for payment of various claims; clarifying certain language concerning claims; authorizing determination of a lake control elevation; appropriating money; amending Minnesota Statutes 1998, sections 3.738, subdivision 2; and 3.739, subdivision 2a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hilty	Leppik	Ozment	Storm
Abrams	Dorn	Holberg	Lieder	Paulsen	Swenson
Anderson, I.	Entenza	Holsten	Lindner	Pawlenty	Sykora
Bakk	Erhardt	Howes	Luther	Pelowski	Tomassoni
Biernat	Erickson	Huntley	Mahoney	Peterson	Trimble
Bishop	Finseth	Jaros	Mares	Pugh	Tuma
Boudreau	Folliard	Jennings	Marko	Rest	Tunheim
Bradley	Fuller	Johnson	McCollum	Rifenberg	Van Dellen
Broecker	Gleason	Juhnke	McElroy	Rostberg	Wagenius
Carlson	Goodno	Kahn	McGuire	Rukavina	Wejzman
Carruthers	Gray	Kalis	Milbert	Schumacher	Wenzel
Cassell	Greenfield	Kelliher	Mulder	Seagren	Westerberg
Chaudhary	Greiling	Knoblach	Mullery	Seifert, J.	Winter
Clark, J.	Gunther	Koskinen	Murphy	Seifert, M.	Wolf
Clark, K.	Haake	Kubly	Ness	Skoe	Workman
Daggett	Haas	Kuisle	Nornes	Skoglund	Spk. Sviggum
Davids	Hackbarth	Larsen, P.	Opatz	Smith	
Dawkins	Harder	Larson, D.	Orfield	Solberg	
Dehler	Hasskamp	Leighton	Osskopp	Stanek	
Dempsey	Hausman	Lenczewski	Otremba	Stang	

Those who voted in the negative were:

Anderson, B.	Gerlach	Krinkie	Olson	Vandever	Wilkin
Buesgens	Kielkucki	Molnau	Reuter	Westfall	

The bill was passed and its title agreed to.

S. F. No. 9, A bill for an act relating to civil service; providing for the abolition of a police civil service commission by a unanimous vote of the city council; amending Minnesota Statutes 1998, sections 419.16 and 419.17.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Hausman	Leighton	Otremba	Stanek
Abrams	Entenza	Hilty	Lenczewski	Ozment	Stang
Anderson, I.	Erhardt	Holberg	Leppik	Paulsen	Storm
Bakk	Erickson	Holsten	Lieder	Pawlenty	Swenson
Biernat	Finseth	Howes	Luther	Pelowski	Sykora
Bishop	Folliard	Huntley	Mahoney	Peterson	Tomassoni
Boudreau	Fuller	Jaros	Mares	Pugh	Trimble
Bradley	Gerlach	Jennings	Marko	Rest	Tunheim
Broecker	Gleason	Johnson	McCollum	Rifenberg	Van Dellen
Buesgens	Goodno	Juhnke	McElroy	Rostberg	Wagenius
Carlson	Gray	Kahn	McGuire	Rukavina	Wejeman
Cassell	Greenfield	Kalis	Milbert	Schumacher	Wenzel
Chaudhary	Greiling	Kelliher	Molnau	Seagren	Westerberg
Clark, J.	Gunther	Knoblach	Mullery	Seifert, J.	Westfall
Clark, K.	Haake	Koskinen	Murphy	Seifert, M.	Winter
Daggett	Haas	Kubly	Ness	Skoe	Wolf
Dawkins	Hackbarth	Kuisle	Nornes	Skoglund	Workman
Dehler	Harder	Larsen, P.	Opatz	Smith	Spk. Sviggum
Dorman	Hasskamp	Larsen, D.	Orfield	Solberg	

Those who voted in the negative were:

Anderson, B.	Kielkucki	Lindner	Olson	Vandever
Carruthers	Krinkie	Mulder	Reuter	Wilkin

The bill was passed and its title agreed to.

H. F. No. 665 was reported to the House.

Wenzel moved that H. F. No. 665 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 746 was reported to the House.

Solberg moved to amend S. F. No. 746 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 625, the first engrossment:

"Section 1. [GRAND RAPIDS TOWNSHIP; NOVEMBER GENERAL ELECTION.]

Grand Rapids Township may designate the first Tuesday after the first Monday in November of either the even-numbered or the odd-numbered year as the date of the town general election. The ordinance or resolution changing the date of the town general election must include a plan to shorten or lengthen the terms of office to provide for an orderly transition to the November election schedule. The ordinance or resolution changing the date of the town general election may be proposed by the town board or by a resolution of the electors adopted at the annual meeting and is effective upon an affirmative vote of the electors at the next town general election. Town supervisors elected at a November election shall serve three-year terms and shall serve until a successor is elected and qualified.

Sec. 2. [CITY OF GRAND RAPIDS PUBLIC UTILITIES COMMISSION; MEMBERSHIP.]

Notwithstanding Minnesota Statutes, section 412.341, the city of Grand Rapids may by ordinance increase the Grand Rapids public utilities commission membership to five members. The ordinance increasing the commission membership must provide for the initial terms of the additional members so that no more than two positions on the commission are open for appointment in any year.

Sec. 3. [LOCAL APPROVAL NOT REQUIRED.]

This act is effective without local approval as provided in Minnesota Statutes, section 645.023."

Delete the title and insert:

"A bill for an act relating to local government; permitting Grand Rapids Township to hold its general election in November; permitting the city of Grand Rapids to increase the membership of its public utilities commission to five members."

The motion prevailed and the amendment was adopted.

Solberg moved that S. F. No. 746, as amended, be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 346 was reported to the House.

Wagenius moved to amend S. F. No. 346 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 817:

"Section 1. Minnesota Statutes 1998, section 518.158, subdivision 1, is amended to read:

Subdivision 1. [FACTORS.] (a) It is presumed to be in the best interests of the child for the court to grant temporary custody to a relative under subdivision 2 if a minor child has resided with the relative for a period of 12 months or more and the following circumstances exist without good cause:

(1) the parent has had no contact with the child on a regular basis and no demonstrated, consistent participation in the child's well-being for six months; or

(2) the parent, during the time the child resided with the relative, has refused or neglected to comply with the duties imposed upon the parent by the parent and child relationship, including but not limited to providing the child necessary food, clothing, shelter, health care, education, and other care and control necessary for the child's physical, mental, or emotional health and development.

(b) It is also presumed to be in the best interests of the child for the court to grant temporary custody to a relative under subdivision 2 if the relative has permanent custody of a sibling of the child and:

(1) the child is currently residing with the relative and a factor in paragraph (a), clause (1) or (2), is present, regardless of duration; or

(2) the application alleges an immediate and present danger to the physical, mental, or emotional health of the child in the home of the parent.

Sec. 2. Minnesota Statutes 1998, section 518.158, subdivision 2, is amended to read:

Subd. 2. [EMERGENCY CUSTODY HEARING.] If the parent seeks to remove the child from the home of the relative or if the relative seeks to remove the child from the home of the parent and the applicable factors in subdivision 1 exist, the relative may apply for an ex parte temporary order for custody of the child. The court shall grant temporary custody if it finds, based on the application, that the applicable factors in subdivision 1 exist. If it finds that the factors in subdivision 1 do not exist, the court shall order that the child be returned to or remain with the parent. An ex parte temporary custody order under this subdivision is effective for a fixed period not to exceed 14 days. A temporary custody hearing under this chapter must be set for not later than seven days after issuance of the ex parte temporary custody order. The parent must be promptly served with a copy of the ex parte order and the petition and notice of the date for the hearing."

The motion prevailed and the amendment was adopted.

S. F. No. 346, A bill for an act relating to child custody; expanding provisions for relative ex parte temporary custody; amending Minnesota Statutes 1998, section 518.158, subdivisions 1 and 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Dorman	Gray	Holsten	Knobloch
Abrams	Carruthers	Dorn	Greiling	Howes	Koskinen
Anderson, B.	Cassell	Entenza	Gunther	Huntley	Krinkie
Anderson, I.	Chaudhary	Erhardt	Haake	Jaros	Kubly
Bakk	Clark, J.	Erickson	Haas	Jennings	Kuisele
Biernat	Clark, K.	Finseth	Hackbarth	Johnson	Larsen, P.
Bishop	Daggett	Folliard	Harder	Juhnke	Larson, D.
Boudreau	Davids	Fuller	Hasskamp	Kahn	Leighton
Bradley	Dawkins	Gerlach	Hausman	Kalis	Lenczewski
Broecker	Dehler	Gleason	Hilty	Kelliher	Leppik
Buesgens	Dempsey	Goodno	Holberg	Kielkucki	Lieder

Lindner	Mulder	Paulsen	Seagren	Sykora	Westerberg
Luther	Mullery	Pawlenty	Seifert, J.	Tingelstad	Westfall
Mahoney	Murphy	Pelowski	Seifert, M.	Tomassoni	Wilkin
Mares	Ness	Peterson	Skoe	Trimble	Winter
Mariani	Nornes	Pugh	Skoglund	Tuma	Wolf
Marko	Olson	Rest	Smith	Tunheim	Workman
McCollum	Opatz	Reuter	Solberg	Van Dellen	Spk. Sviggum
McElroy	Orfield	Rifenberg	Stanek	Vandever	
McGuire	Osskopp	Rostberg	Stang	Wagenius	
Milbert	Otremba	Rukavina	Storm	Wejcman	
Molnau	Ozment	Schumacher	Swenson	Wenzel	

The bill was passed, as amended, and its title agreed to.

S. F. No. 2120, A bill for an act relating to crime prevention; classifying Gamma Hydroxybutyrate as a controlled substance; amending Minnesota Statutes 1998, section 152.02, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lieder	Ozment	Swenson
Abrams	Dorn	Holsten	Lindner	Paulsen	Sykora
Anderson, B.	Entenza	Howes	Luther	Pawlenty	Tingelstad
Anderson, I.	Erhardt	Huntley	Mahoney	Pelowski	Tomassoni
Bakk	Erickson	Jaros	Mares	Peterson	Trimble
Biernat	Finseth	Jennings	Mariani	Pugh	Tuma
Bishop	Folliard	Johnson	Marko	Rest	Tunheim
Boudreau	Fuller	Juhnke	McCollum	Reuter	Van Dellen
Bradley	Gerlach	Kahn	McElroy	Rifenberg	Vandever
Broecker	Gleason	Kalis	McGuire	Rostberg	Wagenius
Buesgens	Goodno	Kelliher	Milbert	Rukavina	Wejcman
Carlson	Gray	Kielkucki	Molnau	Schumacher	Wenzel
Carruthers	Greenfield	Knoblach	Mulder	Seagren	Westerberg
Cassell	Greiling	Koskinen	Mullery	Seifert, J.	Westfall
Chaudhary	Gunther	Krinkie	Murphy	Seifert, M.	Wilkin
Clark, J.	Haake	Kubly	Ness	Skoe	Winter
Clark, K.	Haas	Kuisle	Nornes	Skoglund	Wolf
Daggett	Hackbarth	Larsen, P.	Olson	Smith	Workman
Davids	Harder	Larsen, D.	Opatz	Solberg	Spk. Sviggum
Dawkins	Hasskamp	Leighton	Orfield	Stanek	
Dehler	Hausman	Lenczewski	Osskopp	Stang	
Dempsey	Hilty	Leppik	Otremba	Storm	

The bill was passed and its title agreed to.

S. F. No. 1180, A bill for an act relating to juveniles; extending juvenile court jurisdiction over children who are habitual truants; amending Minnesota Statutes 1998, section 260.181, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Holsten	Lindner	Ozment	Swenson
Abrams	Entenza	Howes	Luther	Paulsen	Tingelstad
Anderson, B.	Erhardt	Huntley	Mahoney	Pawlenty	Tomassoni
Anderson, I.	Erickson	Jaros	Mares	Pelowski	Trimble
Bakk	Finseth	Jennings	Mariani	Peterson	Tuma
Biernat	Folliard	Johnson	Marko	Pugh	Tunheim
Bishop	Fuller	Juhnke	McCollum	Rest	Van Dellen
Boudreau	Gerlach	Kahn	McElroy	Reuter	Vandevier
Bradley	Gleason	Kalis	McGuire	Rifenberg	Wagenius
Broecker	Goodno	Kelliher	Milbert	Rostberg	Wejcmán
Buesgens	Gray	Kielkucki	Molnau	Rukavina	Wenzel
Carlson	Greenfield	Knoblach	Mulder	Schumacher	Westerberg
Carruthers	Greiling	Koskinen	Mullery	Seagren	Westfall
Cassell	Gunther	Krinkie	Murphy	Seifert, J.	Wilkin
Chaudhary	Haake	Kubly	Ness	Seifert, M.	Winter
Clark, J.	Haas	Kuisle	Nornes	Skoe	Wolf
Clark, K.	Hackbarth	Larsen, P.	Olson	Skoglund	Workman
Daggett	Harder	Larson, D.	Opatz	Smith	Spk. Sviggum
Davids	Hasskamp	Leighton	Orfield	Solberg	
Dawkins	Hausman	Lenczewski	Osskopp	Stanek	
Dehler	Hilty	Leppik	Osthoff	Stang	
Dempsey	Holberg	Lieder	Otremba	Storm	

The bill was passed and its title agreed to.

S. F. No. 685 was reported to the House.

Wolf moved that S. F. No. 685 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 71, A bill for an act relating to administrative procedure; changing certain requirements for notifying the legislature of proposed rulemaking; amending Minnesota Statutes 1998, section 14.116.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carlson	Clark, K.	Dorn	Gleason	Greiling
Bakk	Carruthers	Dawkins	Entenza	Gray	Hasskamp
Biernat	Chaudhary	Dehler	Folliard	Greenfield	Hausman

Hilty	Kelliher	Luther	Murphy	Rukavina	Wagenius
Huntley	Koskinen	Mariani	Opatz	Schumacher	Wejcman
Jaros	Kubly	Marko	Orfield	Skoe	Wenzel
Jennings	Larson, D.	McCollum	Osthoff	Skoglund	Winter
Johnson	Leighton	McGuire	Otremba	Solberg	
Juhnke	Lenczewski	Milbert	Pelowski	Tomassoni	
Kahn	Leppik	Mullery	Pugh	Trimble	
Kalis	Lieder	Munger	Rest	Tunheim	

Those who voted in the negative were:

Abeler	Dempsey	Harder	McElroy	Rifenberg	Tuma
Abrams	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Anderson, B.	Erhardt	Holsten	Mulder	Seagren	Vandever
Bishop	Erickson	Howes	Ness	Seifert, J.	Westerberg
Boudreau	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Bradley	Fuller	Knoblach	Olson	Smith	Wilkin
Broecker	Gerlach	Krinkie	Osskopp	Stanek	Wolf
Buesgens	Goodno	Kuisele	Ozment	Stang	Workman
Cassell	Gunther	Larsen, P.	Paulsen	Storm	Spk. Sviggum
Clark, J.	Haake	Lindner	Pawlenty	Swenson	
Daggett	Haas	Mahoney	Peterson	Sykora	
Davids	Hackbarth	Mares	Reuter	Tingelstad	

The bill was not passed.

Speaker pro tempore Abrams called Boudreau to the Chair.

S. F. No. 441 which was temporarily laid over earlier today on the Calendar for the Day was again reported to the House.

Stanek moved to amend S. F. No. 441, the unofficial engrossment, as follows:

Page 1, line 17, strike everything after "\$30"

Page 1, line 18, delete "\$40" and strike everything before "may"

Page 2, line 32, delete everything after "if" and insert "a pretrial diversion program under section 628.69 has been established in the jurisdiction where the dishonored check was issued, the issuer was accepted into the program, and the issuer successfully completes the program."

Page 2, delete line 33

Page 9, line 23, after the headnote insert "(a)"

Page 9, after line 30, insert:

"(b) If the prosecutor determines that requiring an offender to pay for the educational class described in paragraph (a), clause (1), would result in an economic hardship to the offender or the offender's family, the prosecutor may waive the requirement."

Page 9, line 36, delete "prosecutor" and insert "county attorney"

The motion prevailed and the amendment was adopted.

Stanek moved to amend S. F. No. 441, the unofficial engrossment, as amended, as follows:

Page 9, line 34, after "(b)" insert "if the penalties relate to the offense resulting in completion of the diversion program"

The motion prevailed and the amendment was adopted.

Clark, K.; Rukavina; Jaros; Kahn; Wejcman; Mullery; Dawkins; Tomassoni; Anderson, I.; Chaudhary; Trimble; Mahoney; Bakk; Gray and Hausman moved to amend S. F. No. 441, the unofficial engrossment, as amended, as follows:

Page 2, after line 22, insert:

"(f) The issuer of a dishonored check is not liable for the service charges described in paragraph (a), to the extent that they are increased by this act, until this state has enacted legislation prohibiting financial institutions from a policy of always debiting the largest checks first in determining an account holder's daily account balance."

A roll call was requested and properly seconded.

POINT OF ORDER

Haas raised a point of order pursuant to rule 3.21 that the Clark, K., et al amendment was not in order. Speaker pro tempore Boudreau ruled the point of order not well taken and the Clark, K., et al amendment in order.

The question recurred on the Clark, K., et al amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Mahoney	Osthoff	Wagenius
Bakk	Gleason	Juhnke	Mariani	Otremba	Wejcman
Biernat	Gray	Kahn	McCollum	Peterson	Wenzel
Carlson	Greenfield	Kelliher	McGuire	Pugh	Winter
Carruthers	Greiling	Koskinen	Milbert	Rukavina	
Clark, K.	Hasskamp	Kubly	Mullery	Skoglund	
Dawkins	Hausman	Larson, D.	Munger	Solberg	
Dorn	Hilty	Leighton	Murphy	Tomassoni	
Entenza	Jaros	Luther	Orfield	Trimble	

Those who voted in the negative were:

Abeler	Bishop	Broecker	Chaudhary	Davids	Dorman
Abrams	Boudreau	Buesgens	Clark, J.	Dehler	Erhardt
Anderson, B.	Bradley	Cassell	Daggett	Dempsey	Erickson

Finseth	Howes	Lindner	Paulsen	Skoe	Vanderveer
Fuller	Huntley	Mares	Pawlenty	Smith	Westerberg
Gerlach	Jennings	McElroy	Pelowski	Stanek	Westfall
Goodno	Kalis	Molnau	Rest	Stang	Wilkin
Gunther	Kielkucki	Mulder	Reuter	Storm	Wolf
Haake	Knoblach	Ness	Rifenberg	Swenson	Workman
Haas	Krinkie	Nornes	Rostberg	Sykora	Spk. Sviggum
Hackbarth	Kuisle	Olson	Schumacher	Tingelstad	
Harder	Larsen, P.	Opatz	Seagren	Tuma	
Holberg	Leppik	Osskopp	Seifert, J.	Tunheim	
Holsten	Lieder	Ozment	Seifert, M.	Van Dellen	

The motion did not prevail and the amendment was not adopted.

S. F. No. 441, A bill for an act relating to crime prevention; modifying the criminal penalties for certain crimes to provide more uniformity; creating a pretrial diversion program for writers of dishonored checks; amending Minnesota Statutes 1998, sections 332.50, subdivision 2; 609.52, subdivision 3; 609.535, subdivision 2a; 609.631, subdivision 4; and 609.821, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 628.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 109 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Jennings	Mahoney	Pawlenty	Sykora
Abrams	Entenza	Johnson	Mares	Pelowski	Tingelstad
Anderson, B.	Erhardt	Juhnke	Marko	Peterson	Tuma
Biernat	Erickson	Kalis	McCollum	Pugh	Tunheim
Bishop	Fuller	Kelliher	McElroy	Rest	Van Dellen
Boudreau	Gerlach	Kielkucki	McGuire	Reuter	Vanderveer
Bradley	Goodno	Knoblach	Milbert	Rifenberg	Wagenius
Broecker	Greiling	Koskinen	Molnau	Rostberg	Wenzel
Buesgens	Gunther	Krinkie	Mulder	Schumacher	Westerberg
Carlson	Haake	Kubly	Mullery	Seagren	Wilkin
Carruthers	Haas	Kuisle	Murphy	Seifert, J.	Winter
Cassell	Hackbarth	Larsen, P.	Ness	Seifert, M.	Wolf
Chaudhary	Harder	Larson, D.	Nornes	Skoe	Workman
Clark, J.	Hasskamp	Leighton	Olson	Skoglund	Spk. Sviggum
Daggett	Hilty	Lenczewski	Opatz	Smith	
Davids	Holberg	Leppik	Orfield	Stanek	
Dehler	Holsten	Lieder	Osthoff	Stang	
Dempsey	Howes	Lindner	Ozment	Storm	
Dorman	Huntley	Luther	Paulsen	Swenson	

Those who voted in the negative were:

Anderson, I.	Finseth	Greenfield	Mariani	Rukavina	Wejcman
Bakk	Folliard	Hausman	Munger	Solberg	Westfall
Clark, K.	Gleason	Jaros	Osskopp	Tomassoni	
Dawkins	Gray	Kahn	Otremba	Trimble	

The bill was passed, as amended, and its title agreed to.

H. F. No. 665 which was temporarily laid over earlier today on the Calendar for the Day was again reported to the House.

Wenzel moved that H. F. No. 665 be returned to the General Register. The motion prevailed.

S. F. No. 369 was reported to the House.

McCollum, Abeler and Mulder moved to amend S. F. No. 369 as follows:

Page 1, line 10, after "another" insert "United States"

Page 1, line 13, delete "able" and insert "qualified"

Page 1, line 18, delete "emergency medical services regulatory" and after "board" insert "of medical practice" and delete "section"

Page 1, line 19, delete "144E.16" and insert "chapter 147A in consultation with the physician assistant advisory council"

The motion prevailed and the amendment was adopted.

S. F. No. 369, A bill for an act relating to health occupations; permitting physician assistants to render care in disasters without physician and physician assistant agreements; proposing coding for new law in Minnesota Statutes, chapter 147A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Haas	Kubly	Mulder	Rifenberg
Abrams	Dehler	Hackbarth	Kuisle	Mullery	Rostberg
Anderson, B.	Dempsey	Harder	Larsen, P.	Munger	Rukavina
Anderson, I.	Dorman	Hasskamp	Larson, D.	Ness	Schumacher
Bakk	Dorn	Hausman	Leighton	Nornes	Seagren
Biernat	Entenza	Hilty	Lenczewski	Olson	Seifert, J.
Bishop	Erhardt	Holberg	Leppik	Opatz	Seifert, M.
Boudreau	Erickson	Holsten	Lieder	Orfield	Skoe
Bradley	Finseth	Howes	Lindner	Osskopp	Skoglund
Broecker	Folliard	Huntley	Luther	Osthoff	Smith
Buesgens	Fuller	Jennings	Mahoney	Otremba	Solberg
Carlson	Gerlach	Johnson	Mares	Ozment	Stanek
Carruthers	Gleason	Juhnke	Mariani	Paulsen	Stang
Cassell	Goodno	Kahn	Marko	Pawlenty	Storm
Chaudhary	Gray	Kelliher	McCollum	Pelowski	Swenson
Clark, J.	Greenfield	Kielkucki	McElroy	Peterson	Sykora
Clark, K.	Greiling	Knoblach	McGuire	Pugh	Tingelstad
Daggett	Gunther	Koskinen	Milbert	Rest	Tomassoni
Davids	Haake	Krinkie	Molnau	Reuter	Trimble

Tuma	Vandever	Wenzel	Wilkin	Workman
Tunheim	Wagenius	Westerberg	Winter	Spk. Sviggum
Van Dellen	Wejzman	Westfall	Wolf	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1932 which was temporarily laid over earlier today on the Calendar for the Day was again reported to the House.

Dawkins withdrew his pending amendment to H. F. No. 1932, the first engrossment.

Kahn, Dawkins and Clark, K., moved to amend H. F. No. 1932, the first engrossment, as follows:

Page 3, line 21, after the period, insert "An auto rental company must not offer or sell personal effects insurance or liability insurance unless the auto rental company does not discriminate in the rental of motor vehicles against persons who are between the ages of 21 and 25 years solely on the basis of the person's age, provided that the auto rental company may charge higher rates to persons in that age category to the extent justified by the cost of insurance or self-insurance."

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 112 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hausman	Leppik	Ozment	Storm
Abrams	Dorn	Hilty	Lieder	Paulsen	Sykora
Anderson, I.	Entenza	Holberg	Luther	Pawlenty	Tingelstad
Bakk	Erhardt	Holsten	Mahoney	Pelowski	Tomassoni
Biernat	Erickson	Howes	Mariani	Peterson	Trimble
Bishop	Finseth	Jennings	Marko	Pugh	Tuma
Bradley	Folliard	Johnson	McCollum	Rest	Tunheim
Broecker	Fuller	Juhnke	McElroy	Rifenberg	Vandever
Carlson	Gleason	Kahn	McGuire	Rostberg	Wagenius
Carruthers	Goodno	Kalis	Milbert	Rukavina	Wejzman
Cassell	Gray	Kelliher	Molnau	Schumacher	Wenzel
Chaudhary	Greenfield	Koskinen	Mullery	Seagren	Westerberg
Clark, J.	Greiling	Krinkie	Munger	Seifert, J.	Westfall
Clark, K.	Gunther	Kubly	Murphy	Seifert, M.	Westrom
Daggett	Haake	Kuisele	Nornes	Skoe	Winter
Davids	Haas	Larsen, P.	Opatz	Skoglund	Wolf
Dawkins	Hackbarth	Larson, D.	Orfield	Solberg	Spk. Sviggum
Dehler	Harder	Leighton	Osthoff	Stanek	
Dempsey	Hasskamp	Lenczewski	Otremba	Stang	

Those who voted in the negative were:

Anderson, B.	Huntley	Mares	Osskopp	Van Dellen
Boudreau	Kielkucki	Mulder	Reuter	Wilkin
Buesgens	Knoblach	Ness	Smith	Workman
Gerlach	Lindner	Olson	Swenson	

The motion prevailed and the amendment was adopted.

Davids and Haas moved to amend H. F. No. 1932, the first engrossment, as amended, as follows:

Page 1, line 3, of the Kahn et al amendment, delete everything before "An" and insert "Page 4, after line 33, insert:

Sec. 4. [STUDY OF RENTAL CAR AVAILABILITY.] The commissioner of commerce shall report to the legislature no later than February 15, 2000, on the effects of possible legislation providing that"

Page 1, line 8, of the Kahn et al amendment, delete ", provided that" and insert ". The commissioner shall include information on the availability of rental vehicles to persons in that age category, the added costs, if any, of renting to them, and the effects of permitting" and delete "may" and insert "to"

A roll call was requested and properly seconded.

The question was taken on the Davids and Haas amendment and the roll was called. There were 72 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Mares	Pawlenty	Swenson
Abrams	Erhardt	Holsten	McElroy	Pelowski	Sykora
Anderson, B.	Erickson	Howes	Molnau	Reuter	Tingelstad
Boudreau	Finseth	Huntley	Mulder	Rifenberg	Tuma
Bradley	Fuller	Jennings	Ness	Rostberg	Van Dellen
Broecker	Gerlach	Kielkucki	Nornes	Seagren	Westerberg
Buesgens	Goodno	Knoblach	Olson	Seifert, J.	Westfall
Cassell	Gunther	Krinkie	Orfield	Seifert, M.	Westrom
Clark, J.	Haake	Kuisle	Osskopp	Smith	Wilkin
Daggett	Haas	Larsen, P.	Osthoff	Stanek	Wolf
Davids	Hackbarth	Leppik	Ozment	Stang	Workman
Dempsey	Harder	Lindner	Paulsen	Storm	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Entenza	Juhnke	Mahoney	Paymar	Tunheim
Bakk	Folliard	Kahn	Mariani	Peterson	Vandever
Biernat	Gleason	Kalis	Marko	Pugh	Wagenius
Bishop	Gray	Kelliher	McCollum	Rest	Wejman
Carlson	Greenfield	Koskinen	McGuire	Rukavina	Wenzel
Carruthers	Greiling	Kubly	Milbert	Schumacher	Winter
Chaudhary	Hasskamp	Larson, D.	Mullery	Skoe	
Clark, K.	Hausman	Leighton	Munger	Skoglund	
Dawkins	Hilty	Lenczewski	Murphy	Solberg	
Dehler	Jaros	Lieder	Opatz	Tomassoni	
Dorn	Johnson	Luther	Otremba	Trimble	

The motion prevailed and the amendment was adopted.

H. F. No. 1932, A bill for an act relating to insurance; regulating rental vehicle coverages; requiring a study of rental car availability; amending Minnesota Statutes 1998, sections 60K.03, subdivision 7; and 72A.125, subdivisions 1 and 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lieder	Osthoff	Stanek
Abrams	Dorn	Holsten	Lindner	Otremba	Stang
Anderson, B.	Entenza	Howes	Luther	Ozment	Storm
Anderson, I.	Erhardt	Huntley	Mahoney	Paulsen	Swenson
Bakk	Erickson	Jaros	Mares	Pawlenty	Sykora
Biernat	Finseth	Jennings	Mariani	Paymar	Tingelstad
Bishop	Folliard	Johnson	Marko	Pelowski	Tomassoni
Boudreau	Fuller	Juhnke	McCollum	Peterson	Trimble
Bradley	Gerlach	Kahn	McElroy	Pugh	Tuma
Broecker	Gleason	Kalis	McGuire	Rest	Tunheim
Buesgens	Goodno	Kelliher	Milbert	Reuter	Van Dellen
Carlson	Gray	Kielkucki	Molnau	Rifenberg	Wagenius
Carruthers	Greenfield	Knoblach	Mulder	Rostberg	Wejcman
Cassell	Greiling	Koskinen	Mullery	Rukavina	Wenzel
Chaudhary	Gunther	Krinkie	Munger	Schumacher	Westerberg
Clark, J.	Haake	Kubly	Murphy	Seagren	Westfall
Clark, K.	Haas	Kuisle	Ness	Seifert, J.	Westrom
Daggett	Hackbarth	Larsen, P.	Nornes	Seifert, M.	Wilkin
Davids	Harder	Larson, D.	Olson	Skoe	Winter
Dawkins	Hasskamp	Leighton	Opatz	Skoglund	Wolf
Dehler	Hausman	Lenczewski	Orfield	Smith	Workman
Dempsey	Hilty	Leppik	Osskopp	Solberg	Spk. Sviggum

The bill was passed, as amended, and its title agreed to.

S. F. No. 746, as amended, which was temporarily laid over earlier today on the Calendar for the Day was again reported to the House.

Harder moved to amend S. F. No. 746, as amended, as follows:

Page 2, after line 5, insert:

"Sec. 3. Minnesota Statutes 1998, section 205.175, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM VOTING HOURS.] In all municipal elections, the polling places will remain open for voting from 5:00 p.m. to 8:00 p.m., except that in town elections in towns located in Redwood, Cottonwood, and Brown counties, the three hours required in this subdivision may be at other times during the day."

Page 2, line 6, delete "NOT REQUIRED"

Page 2, line 7, before "This" insert "Except as provided in this section."

Page 2, line 8, after the period, insert "The amendment in section 3 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the chief clerical officer of any town board located in Redwood, Cottonwood, or Brown counties, but only for those town boards that approve the amended law."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Harder amendment and the roll was called. There were 83 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Jaros	Murphy	Seagren	Trimble
Anderson, B.	Dorman	Johnson	Ness	Seifert, J.	Tuma
Anderson, I.	Entenza	Juhnke	Nornes	Seifert, M.	Tunheim
Bakk	Erhardt	Kielkucki	Olson	Skoe	Van Dellen
Bishop	Erickson	Kubly	Osskopp	Skoglund	Wenzel
Boudreau	Finseth	Kuisle	Ozment	Smith	Westerberg
Bradley	Fuller	Larsen, P.	Pawlenty	Solberg	Westfall
Buesgens	Gerlach	Leighton	Pelowski	Stanek	Westrom
Cassell	Goodno	Lindner	Pugh	Stang	Wilkin
Clark, J.	Gunther	Mahoney	Reuter	Storm	Winter
Clark, K.	Hackbarth	Mares	Rifenberg	Swenson	Wolf
Daggett	Harder	McElroy	Rostberg	Sykora	Workman
Dauids	Holsten	Molnau	Rukavina	Tingelstad	Spk. Sviggum
Dehler	Howes	Mulder	Schumacher	Tomassoni	

Those who voted in the negative were:

Abrams	Gleason	Hilty	Krinkie	McCollum	Otremba
Biernat	Gray	Holberg	Larson, D.	McGuire	Paulsen
Broecker	Greenfield	Huntley	Lenczewski	Milbert	Paymar
Carlson	Greiling	Jennings	Leppik	Mullery	Peterson
Carruthers	Haake	Kahn	Lieder	Munger	Rest
Dawkins	Haas	Kelliher	Luther	Opatz	Vandevveer
Dorn	Hasskamp	Knoblach	Mariani	Orfield	Wagenius
Folliard	Hausman	Koskinen	Marko	Osthoff	Wejman

The motion prevailed and the amendment was adopted.

S. F. No. 746, A bill for an act relating to local government; permitting Grand Rapids to hold their general election in November.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 114 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler	Boudreau	Cassell	Dehler	Erickson	Goodno
Anderson, B.	Bradley	Chaudhary	Dempsey	Finseth	Greenfield
Anderson, I.	Broecker	Clark, J.	Dorman	Folliard	Gunther
Bakk	Buesgens	Clark, K.	Dorn	Fuller	Haas
Biernat	Carlson	Daggett	Entenza	Gerlach	Hackbarth
Bishop	Carruthers	Dauids	Erhardt	Gleason	Harder

Hasskamp	Kubly	Marko	Ozment	Seifert, J.	Trimble
Hausman	Kuisle	McElroy	Paulsen	Seifert, M.	Tuma
Hilty	Larsen, P.	Molnau	Pawlenty	Skoe	Tunheim
Holberg	Larsen, D.	Mulder	Paymar	Skoglund	Van Dellen
Holsten	Leighton	Mullery	Pelowski	Smith	Wenzel
Howes	Lenczewski	Murphy	Pugh	Solberg	Westerberg
Huntley	Leppik	Ness	Rest	Stanek	Westfall
Jaros	Lieder	Nornes	Reuter	Stang	Westrom
Jennings	Lindner	Olson	Rifenberg	Storm	Wilkin
Johnson	Luther	Opatz	Rostberg	Swenson	Winter
Juhnke	Mahoney	Orfield	Rukavina	Sykora	Wolf
Kalis	Mares	Osskopp	Schumacher	Tingelstad	Workman
Kielkucki	Mariani	Otremba	Seagren	Tomassoni	Spk. Sviggum

Those who voted in the negative were:

Abrams	Greiling	Knoblach	McCollum	Osthoff	Wagenius
Dawkins	Kahn	Koskinen	McGuire	Peterson	Wejcman
Gray	Kelliher	Krinkie	Milbert	Vandevier	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1015 which was temporarily laid over earlier today on the Calendar for the Day was again reported to the House.

H. F. No. 1015, A bill for an act relating to elections; providing for redistricting; amending Minnesota Statutes 1998, sections 204B.14, subdivision 4; 204B.146, by adding a subdivision; and 205.84.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark, K.	Goodno	Jaros	Lenczewski	Ness
Abrams	Daggett	Gray	Jennings	Leppik	Nornes
Anderson, B.	Davids	Greenfield	Johnson	Lieder	Olson
Anderson, I.	Dawkins	Greiling	Juhnke	Lindner	Opatz
Bakk	Dehler	Gunther	Kahn	Luther	Orfield
Biernat	Dempsey	Haake	Kalis	Mahoney	Osskopp
Bishop	Dorman	Haas	Kelliher	Mares	Otremba
Boudreau	Dorn	Hackbarth	Kielkucki	Mariani	Ozment
Bradley	Entenza	Harder	Knoblach	McCollum	Paulsen
Broecker	Erhardt	Hasskamp	Koskinen	McElroy	Pawlenty
Buesgens	Erickson	Hausman	Krinkie	McGuire	Paymar
Carlson	Finseth	Hilty	Kubly	Milbert	Pelowski
Carruthers	Folliard	Holberg	Kuisle	Molnau	Peterson
Cassell	Fuller	Holsten	Larsen, P.	Mulder	Pugh
Chaudhary	Gerlach	Howes	Larsen, D.	Munger	Rest
Clark, J.	Gleason	Huntley	Leighton	Murphy	Reuter

Rifenberg	Seifert, M.	Stang	Trimble	Wejzman	Winter
Rostberg	Skoe	Storm	Tuma	Wenzel	Wolf
Rukavina	Skoglund	Swenson	Tunheim	Westerberg	Workman
Schumacher	Smith	Sykora	Van Dellen	Westfall	Spk. Sviggum
Seagren	Solberg	Tingelstad	Vanderveer	Westrom	
Seifert, J.	Stanek	Tomassoni	Wagenius	Wilkin	

The bill was passed and its title agreed to.

S. F. No. 2038 was reported to the House.

Paulsen moved to amend S. F. No. 2038 as follows:

Page 8, after line 11, insert:

"Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

The motion prevailed and the amendment was adopted.

S. F. No. 2038, A bill for an act relating to insurance; regulating workers' compensation self-insurance; providing reporting and financial requirements; amending Minnesota Statutes 1998, sections 79A.21, subdivisions 2 and 3; 79A.22, subdivision 2; 79A.23; and 79A.24, subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Daggett	Greenfield	Juhnke	Luther	Orfield
Abrams	Davids	Greiling	Kahn	Mahoney	Osskopp
Anderson, B.	Dawkins	Gunther	Kalis	Mares	Osthoff
Anderson, I.	Dehler	Haake	Kelliher	Marko	Otremba
Bakk	Dempsey	Haas	Kielkucki	McCollum	Ozment
Biernat	Dorman	Hackbarth	Knobloch	McElroy	Paulsen
Bishop	Dorn	Harder	Koskinen	McGuire	Pawlenty
Boudreau	Entenza	Hasskamp	Krinkie	Milbert	Paymar
Bradley	Erhardt	Hausman	Kubly	Molnau	Pelowski
Broecker	Erickson	Hilty	Kuisle	Mulder	Peterson
Buesgens	Finseth	Holberg	Larsen, P.	Mullery	Pugh
Carlson	Folliard	Holsten	Larsen, D.	Munger	Rest
Carruthers	Fuller	Howes	Leighton	Murphy	Reuter
Cassell	Gerlach	Huntley	Lenczewski	Ness	Rifenberg
Chaudhary	Gleason	Jaros	Leppik	Nornes	Rostberg
Clark, J.	Goodno	Jennings	Lieder	Olson	Rukavina
Clark, K.	Gray	Johnson	Lindner	Opatz	Schumacher

Seagren	Smith	Swenson	Tuma	Wejcman	Wilkin
Seifert, J.	Solberg	Sykora	Tunheim	Wenzel	Winter
Seifert, M.	Stanek	Tingelstad	Van Dellen	Westerberg	Wolf
Skoe	Stang	Tomassoni	Vandev eer	Westfall	Workman
Skoglund	Storm	Trimble	Wagenius	Westrom	Spk. Sviggum

The bill was passed, as amended, and its title agreed to.

S. F. No. 1609 was reported to the House.

Kuisele moved to amend S. F. No. 1609 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1998, section 471.345, is amended by adding a subdivision to read:

Subd. 15. [COOPERATIVE PURCHASING.] A municipality may contract for the purchase of supplies, materials, or equipment without regard to the competitive bidding requirements of this section if the purchase is through a national municipal association's purchasing alliance or cooperative that purchases items from more than one source on the basis of competitive bids or competitive quotations."

Page 2, line 3, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1609, A bill for an act relating to local government; providing exemption for governmental units to jointly or cooperatively contract in amounts estimated not to exceed \$25,000; amending Minnesota Statutes 1998, section 471.59, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeler	Broecker	Davids	Erickson	Greenfield	Hausman
Abrams	Carlson	Dawkins	Finseth	Greiling	Hilty
Anderson, B.	Carruthers	Dehler	Folliard	Gunther	Holberg
Bakk	Cassell	Dempsey	Fuller	Haake	Holsten
Biernat	Chaudhary	Dorman	Gerlach	Haas	Howes
Bishop	Clark, J.	Dorn	Gleason	Hackbarth	Huntley
Boudreau	Clark, K.	Entenza	Goodno	Harder	Jaros
Bradley	Daggett	Erhardt	Gray	Hasskamp	Jennings

Johnson	Lenczewski	Mulder	Paulsen	Skoe	Van Dellen
Juhnke	Leppik	Mullery	Pawlenty	Skoglund	Vandever
Kahn	Lieder	Munger	Pelowski	Solberg	Wagenius
Kalis	Lindner	Murphy	Peterson	Stanek	Wejman
Kelliher	Luther	Ness	Pugh	Stang	Wenzel
Kielkucki	Mahoney	Nornes	Rest	Storm	Westerberg
Knoblach	Mares	Olson	Reuter	Swenson	Westfall
Koskinen	Mariani	Opatz	Rifenberg	Sykora	Westrom
Kubly	Marko	Orfield	Rostberg	Tingelstad	Wilkin
Kuisle	McCullum	Osskopp	Schumacher	Tomassoni	Winter
Larsen, P.	McGuire	Osthoff	Seagren	Trimble	Wolf
Larson, D.	Milbert	Otremba	Seifert, J.	Tuma	Workman
Leighton	Molnau	Ozment	Seifert, M.	Tunheim	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Buesgens	Krinkie	McElroy	Paymar	Smith
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The bill was passed, as amended, and its title agreed to.

S. F. No. 891 was reported to the House.

Holberg moved that S. F. No. 891 be continued on the Calendar for the Day. The motion prevailed.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1180, A bill for an act relating to retirement; various public pension plans; expanding the membership of the state correctional employees retirement plan to include certain Minnesota extended treatment options program employees; downsizing the early retirement reduction rates for various public safety plans; grandparenting public employee police and fire plan coverage for certain Rice county correctional employees; requiring Rice county to repay certain police state aid amounts; providing employer penalties for pension plan membership certification failures or errors; providing special retirement coverage for certain state fire marshal employees; requiring a study; clarifying various Minneapolis employees retirement plan survivor benefit provisions; increasing the number of vendors for certain tax-sheltered annuities for educational employees; modifying various benefit provisions for certain Minnesota state college and university system employees; authorizing the establishment of volunteer rescue squad relief associations by Kandiyohi county and the city of Litchfield; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; providing a targeted early retirement incentive program for certain employees of the metropolitan council; making miscellaneous changes in the legislators retirement plan, the Minnesota state college and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; reducing the membership of the legislative commission on pensions and retirement; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3 and 12; 3A.02, subdivision 1b; 43A.27, subdivision 3; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 136F.48; 352.03, subdivision 1; 352.90; 352.91, by adding a subdivision; 353.01, subdivisions 2b,

10, and 16; 353.03, subdivision 4; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 353.651, subdivision 4; 353A.083, by adding a subdivision; 353A.09, subdivisions 4 and 5; 353D.01, subdivision 2; 353D.02, by adding a subdivision; 353D.03, subdivision 3; 354.05, subdivision 40; 354.06, subdivisions 1 and 7; 354.10, subdivision 4; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; 354B.25, subdivisions 2, 3, and 5; 354C.11; 354C.12, subdivision 4; 356.19, by adding a subdivision; 356.215, subdivision 4g; 356.24, subdivision 1; 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; 422A.23; and 423A.02, subdivisions 1b, 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 352; 353; 354B; 356; and 422A; repealing Minnesota Statutes 1998, sections 353.65, subdivision 3a; and 422A.16, subdivision 3a.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2425, A bill for an act relating to landlord and tenant; recodifying the landlord and tenant law; amending Minnesota Statutes 1998, sections 72A.20, subdivision 23; 82.24, subdivision 7; 144.9504, subdivision 7; 144A.13, subdivision 2; 144D.06; 216C.30, subdivision 5; 299C.67, subdivisions 5 and 7; 299C.69; 327C.02, subdivision 2a; 327C.03, subdivision 4; 327C.10, subdivision 1; 327C.11, subdivision 1; 363.033; 462A.05, subdivision 15; 462C.05, subdivision 8; 469.156; 471A.03, subdivision 6; 481.02, subdivision 3; 484.013, subdivision 2; 487.17; 487.24; 488A.01, subdivisions 4a and 5; 488A.11; 488A.18, subdivisions 4 and 6; 491A.01, subdivision 9; 514.977; 515B.3-116; 515B.4-111; 576.01, subdivision 2; 609.33, subdivision 6; and 609.5317, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 504B; repealing Laws 1998, chapter 253, sections 1 to 79.

Reported the same back with the following amendments:

Page 49, line 28, delete "property has" and insert "premises have"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2425 was read for the second time.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 383.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 383

A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100.

April 29, 1999

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 383, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 383 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [147D.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [ADVISORY COUNCIL.] "Advisory council" means the advisory council of traditional midwifery established under section 147D.25.

Subd. 3. [APPROVED EDUCATION PROGRAM.] "Approved education program" means a university, college, or other education program leading to eligibility for certification in midwifery that is approved or accredited by the Midwifery Education and Accreditation Council (MEAC) or its successor, or a national accrediting organization recommended by the advisory council and approved by the board.

Subd. 4. [BOARD.] "Board" means the board of medical practice.

Subd. 5. [CONTACT HOUR.] "Contact hour" means 50 consecutive minutes, excluding coffee breaks, registration, meals without a speaker, and social activities, of a board-approved learning experience either through an instructional session or clinical practice.

Subd. 6. [CREDENTIAL.] "Credential" means a license, permit, certification, registration, or other evidence of qualification or authorization to engage in the practice of traditional midwifery in this state or any other state.

Subd. 7. [CREDENTIALING EXAMINATION.] "Credentialing examination" means an examination administered by the North American Registry of Midwives (NARM) or its successor, or other national testing organization recommended by the advisory council and approved by the board for credentialing as a licensed traditional midwife. A credentialing examination must include a written examination and a skills assessment.

Subd. 8. [NORMAL PREGNANCY.] "Normal pregnancy" means a pregnancy that is progressing and proceeding spontaneously without the need for medical intervention or the use of instruments and where spontaneous onset of labor occurs between 37 and 42 weeks.

Subd. 9. [TRADITIONAL MIDWIFERY SERVICES.] "Traditional midwifery services" means the assessment and care of a woman and newborn during pregnancy, labor, birth, and the postpartum period outside a hospital.

Subd. 10. [TRANSFER OF CARE.] "Transfer of care" means transferring, during the course of pregnancy, the responsibility of providing services to a client from the traditional midwife to a licensed health care provider.

Subd. 11. [TRANSPORT.] "Transport" means the transferring during labor, birth, or the postpartum period of the client to a hospital.

Sec. 2. [147D.03] [MIDWIFERY.]

Subdivision 1. [GENERAL.] Within the meaning of sections 147D.01 to 147D.27, a person who shall publicly profess to be a traditional midwife and who, for a fee, shall assist or attend to a woman in pregnancy, childbirth outside a hospital, and postpartum, shall be regarded as practicing traditional midwifery.

Subd. 2. [SCOPE OF PRACTICE.] The practice of traditional midwifery includes, but is not limited to:

- (1) initial and ongoing assessment for suitability of traditional midwifery care;
- (2) providing prenatal education and coordinating with a licensed health care provider as necessary to provide comprehensive prenatal care, including the routine monitoring of vital signs, indicators of fetal developments, and laboratory tests, as needed, with attention to the physical, nutritional, and emotional needs of the woman and her family;
- (3) attending and supporting the natural process of labor and birth;
- (4) postpartum care of the mother and an initial assessment of the newborn; and
- (5) providing information and referrals to community resources on childbirth preparation, breast-feeding, exercise, nutrition, parenting, and care of the newborn.

Subd. 3. [UNAUTHORIZED SERVICES.] The practice of traditional midwifery does not include:

- (1) the use of any surgical instrument at a childbirth, except as necessary to sever the umbilical cord or repair a first- or second-degree perineal laceration;
- (2) the assisting of childbirth by artificial or mechanical means; or
- (3) the removal of a placenta accreta.

Sec. 3. [147D.05] [PROFESSIONAL CONDUCT.]

Subdivision 1. [PRACTICE STANDARDS.] (a) A licensed traditional midwife shall provide an initial and ongoing screening to ensure that each client receives safe and appropriate care. A licensed traditional midwife shall only accept and provide care to those women who are expected to have a normal pregnancy, labor, and delivery. As part of the initial screening to determine whether any contraindications are present, the licensed traditional midwife must take a detailed health history that includes the woman's social, medical, surgical, menstrual, gynecological, contraceptive, obstetrical, family, nutritional, and drug/chemical use histories. If a licensed traditional midwife determines at any time during the course of the pregnancy that a woman's condition may preclude attendance by a

traditional midwife, the licensed traditional midwife must refer the client to a licensed health care provider. As part of the initial and ongoing screening, a licensed traditional midwife must recommend that the client receive the following services, if indicated, from an appropriate health care provider:

(1) initial laboratory pregnancy screening, including blood group and type, antibody screen, Indirect Coombs, rubella titer, CBC with differential and syphilis serology;

(2) gonorrhea and chlamydia cultures;

(3) screening for sickle cell;

(4) screening for hepatitis B and human immunodeficiency virus (HIV);

(5) maternal serum alpha-fetoprotein test and ultrasound;

(6) Rh antibody and glucose screening at 28 weeks gestation;

(7) mandated newborn screening;

(8) Rh screening of the infant for maternal RhoGAM treatment; and

(9) screening for premature labor.

(b) A client must make arrangements to have the results of any of the tests described in paragraph (a) sent to the licensed traditional midwife providing services to the client. The licensed traditional midwife must include these results in the client's record.

Subd. 2. [WRITTEN PLAN.] A licensed traditional midwife must prepare a written plan with each client to ensure continuity of care throughout pregnancy, labor, and delivery. The written plan must incorporate the conditions under which the medical consultation plan, including the transfer of care or transport of the client, may be implemented.

Subd. 3. [HEALTH REGULATIONS.] A licensed traditional midwife must comply with all applicable state and municipal requirements regarding public health.

Subd. 4. [CLIENT RECORDS.] A licensed traditional midwife must maintain a client record on each client, including:

(1) a copy of the informed consent form described in section 147D.07;

(2) evidence of an initial client screening described in this section;

(3) a copy of the written plan described in subdivision 2;

(4) a record of prenatal and postpartum care provided to the client at each visit; and

(5) a detailed record of the labor and delivery process.

Subd. 5. [DATA.] All records maintained on each client by a licensed traditional midwife are subject to section 144.335.

Sec. 4. [147D.07] [INFORMED CONSENT.]

Subdivision 1. [GENERAL.] Before providing any services to a client, a licensed traditional midwife must:

(1) advise the client of the information contained in the informed consent form;

(2) provide the client with an informed consent form; and

(3) have the form returned with the client's signature attesting that the client understands the consent form and the information contained in the form.

Subd. 2. [CONTENTS.] The informed consent form must be written in language understandable to the client and, at a minimum, must contain the following:

(1) name, address, telephone number, and license number of the licensed traditional midwife;

(2) a description of the licensed traditional midwife's education, training, and experience in traditional midwifery;

(3) the licensed traditional midwife's fees and method of billing;

(4) the right of the client to file a complaint with the board and the procedures for filing a complaint;

(5) a description of the licensed traditional midwife's medical consultation plan and the antepartum, intrapartum, and postpartum conditions requiring consultation, transfer of care, or transport to a hospital;

(6) the scope of care and services to be provided to the client by the licensed traditional midwife;

(7) the available alternatives to traditional midwifery care;

(8) a statement indicating that the client's records and any transaction with the licensed traditional midwife are confidential;

(9) a notice that reads: "We realize that there are risks associated with birth, including the risk of death or disability of either mother or child. We understand that a situation may arise, which requires emergency medical care and that it may not be possible to transport the mother and/or baby to the hospital in time to benefit from such care. We fully accept the outcome and consequences of our decision to have a licensed traditional midwife attend us during pregnancy and at our birth. We realize that our licensed traditional midwife is not licensed to practice medicine. We are not seeking a licensed physician or certified nurse midwife as the primary caregiver for this pregnancy, and we understand that our licensed traditional midwife shall inform us of any observed signs or symptoms of disease, which may require evaluation, care, or treatment by a medical practitioner. We agree that we are totally responsible for obtaining qualified medical assistance for the care of any disease or pathological condition.";

(10) the right of a client to refuse services unless otherwise provided by law;

(11) a disclosure of whether the licensed traditional midwife carries malpractice or liability insurance; and

(12) the client's and licensed traditional midwife's signatures and date of signing.

Subd. 3. [FILING.] The licensed traditional midwife must have a signed informed consent form on file for each client. Upon request, the licensed traditional midwife must provide a copy of the informed consent form to the board.

Sec. 5. [147D.09] [LIMITATIONS OF PRACTICE.]

(a) A licensed traditional midwife shall not prescribe, dispense, or administer prescription drugs, except as permitted under paragraph (b).

(b) A licensed traditional midwife may administer vitamin K either orally or through intramuscular injection, postpartum antihemorrhagic drugs under emergency situations, local anesthetic, oxygen, and a prophylactic eye agent to the newborn infant.

(c) A licensed traditional midwife shall not perform any operative or surgical procedures except for suture repair of first- or second-degree perineal lacerations.

Sec. 6. [147D.11] [MEDICAL CONSULTATION PLAN.]

(a) To be eligible for licensure as a traditional midwife, an applicant must develop a medical consultation plan, including an emergency plan. The plan must describe guidelines and under what conditions the plan is to be implemented for:

- (1) consultation with a licensed health care provider;
- (2) the transfer of care to a licensed health care provider; and
- (3) immediate transport to a hospital.

(b) The conditions requiring the implementation of the medical consultation plan must meet at a minimum the conditions established by the Minnesota Midwives Guild in the Standards of Care and Certification Guide, the most current edition.

Sec. 7. [147D.13] [REPORTING.]

Subdivision 1. [CERTIFICATE OF BIRTH.] A licensed traditional midwife must complete a certificate of birth in accordance with section 144.215.

Subd. 2. [PRACTICE REPORT.] (a) A licensed traditional midwife must compile a summary report on each client. The report must include the following:

- (1) vital statistics;
- (2) scope of care administered;
- (3) whether the medical consultation plan was implemented; and
- (4) any physician or other health care provider referrals made.

(b) The board may review these reports at any time upon request.

Subd. 3. [PUBLIC HEALTH REPORT.] A licensed traditional midwife must promptly report to the commissioner of health and to the board any maternal, fetal, or neonatal mortality or morbidity.

Subd. 4. [DISCIPLINARY ACTION.] A licensed traditional midwife must report to the board termination, revocation, or suspension of the licensed traditional midwife's certification or any disciplinary action taken against the licensed traditional midwife by the North American Registry of Midwives.

Sec. 8. [147D.15] [PROTECTED TITLES.]

Subd. 1. [PROTECTED TITLES.] No person may use the title "licensed traditional midwife," or "licensed midwife," or use, in connection with the person's name, the letters "LTM," "LM," or any other titles, words, letters, abbreviations, or insignia indicating or implying that the person is licensed or eligible for licensure by the state as a licensed traditional midwife unless the person has been licensed as a licensed traditional midwife according to this chapter.

Subd. 2. [PROHIBITED FROM PRACTICING.] A person whose license under this chapter has been revoked by the board is prohibited from practicing traditional midwifery.

Subd. 3. [PENALTY.] A person who violates this section is guilty of a misdemeanor.

Sec. 9. [147D.17] [LICENSURE REQUIREMENTS.]

Subdivision 1. [GENERAL REQUIREMENTS FOR LICENSURE.] To be eligible for licensure, an applicant, with the exception of those seeking licensure by reciprocity under subdivision 2, must:

(1) submit a completed application on forms provided by the board along with all fees required under section 147D.27 that includes:

(i) the applicant's name, social security number, home address and telephone number, and business address and telephone number;

(ii) a list of degrees received from educational institutions;

(iii) a description of the applicant's professional training;

(iv) a list of registrations, certifications, and licenses held in other jurisdictions;

(v) a description of any other jurisdiction's refusal to credential the applicant;

(vi) a description of all professional disciplinary actions initiated against the applicant in any jurisdiction; and

(vii) any history of drug or alcohol abuse, and any misdemeanor or felony conviction;

(2) submit a diploma from an approved education program or submit evidence of having completed an apprenticeship;

(3) submit a verified copy of a valid and current credential, issued by the North American Registry of Midwives or other national organization recommended by the advisory council and approved by the board, as a certified professional midwife;

(4) submit current certification from the American Heart Association or the American Red Cross for adult and infant cardiopulmonary resuscitation;

(5) submit a copy of the applicant's medical consultation plan;

(6) submit documentation verifying that the applicant has the following practical experience through an apprenticeship or other supervisory setting:

(i) the provision of 75 prenatal examinations, including 20 initial examinations;

(ii) supervised participation in 20 births, ten of which must be in a home setting;

(iii) participation as the primary birth attendant under the supervision of a licensed traditional midwife at an additional 20 births, ten of which must have occurred outside a state licensed health care facility;

(iv) 20 newborn examinations; and

(v) 40 postpartum examinations;

(7) submit additional information as requested by the board, including any additional information necessary to ensure that the applicant is able to practice with reasonable skill and safety to the public;

(8) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief; and

(9) sign a waiver authorizing the board to obtain access to the applicant's records in this or any other state in which the applicant has completed an approved education program or engaged in the practice of traditional midwifery.

Subd. 2. [LICENSURE BY RECIPROCITY.] To be eligible for licensure by reciprocity, the applicant must be credentialed by the North American Registry of Midwives or other national organization recommended by the advisory council and approved by the board and must:

(1) submit the application materials and appropriate fees as required under subdivision 1, clauses (1), (3), (4), (5), (6), (7), (8), and (9); and section 147D.27;

(2) provide a verified copy from the appropriate body of a current and unrestricted credential for the practice of traditional midwifery in another jurisdiction that has initial credentialing requirements equivalent to or higher than the requirements in subdivision 1; and

(3) provide letters of verification from the appropriate government body in each jurisdiction in which the applicant holds a credential. Each letter must state the applicant's name, date of birth, credential number, date of issuance, a statement regarding disciplinary actions, if any, taken against the applicant, and if the applicant is in good standing in that jurisdiction.

Subd. 3. [TEMPORARY PERMIT.] The board may issue a temporary permit to practice as a licensed traditional midwife to an applicant eligible for licensure under this section if the application for licensure is complete, all applicable requirements in this section have been met, and a nonrefundable fee set by the board has been paid. The permit remains valid only until the meeting of the board at which a decision is made on the application for licensure.

Subd. 4. [LICENSURE BY EQUIVALENCY DURING TRANSITION PERIOD.] (a) From July 1, 1999, to July 1, 2001, a person may qualify for licensure if the person has engaged in the practice of traditional midwifery in this state for at least five years in the period from July 1, 1994, to June 30, 1999, and submits documentation verifying the practical experience described in subdivision 1, clause (6). To be eligible for licensure under this subdivision, the person must also submit the application materials and the appropriate fees required under subdivision 1, clauses (1), (4), (5), (6), (7), (8), and (9), and section 147D.27.

(b) An application for licensure under this subdivision must be submitted to the board between July 1, 1999, and June 30, 2001. Licensure under this subdivision may be renewed once. Within a two-year period from the date a license is issued by the board in accordance with this subdivision, the licensed traditional midwife must obtain a certification from the North American Registry of Midwives as a certified professional midwife. If certification is not obtained within this time period, the licensed traditional midwife must obtain a new license by applying for licensure and fulfilling the requirements then in existence for obtaining an initial license as a licensed traditional midwife.

Subd. 5. [LICENSE EXPIRATION.] Licenses issued under this chapter expire annually.

Subd. 6. [RENEWAL.] To be eligible for license renewal, a licensed traditional midwife must:

(1) complete a renewal application on a form provided by the board;

(2) submit the renewal fee;

(3) provide evidence every three years of a total of 30 hours of continuing education approved by the board as described in section 147D.21;

(4) submit evidence of an annual peer review and update of the licensed traditional midwife's medical consultation plan; and

(5) submit any additional information requested by the board. The information must be submitted within 30 days after the board's request, or the renewal request is nullified.

Subd. 7. [CHANGE OF ADDRESS.] A licensed traditional midwife who changes addresses must inform the board within 30 days, in writing, of the change of address. All notices or other correspondence mailed to or served on a licensed traditional midwife by the board at the licensed traditional midwife's address on file with the board shall be considered as having been received by the licensed traditional midwife.

Subd. 8. [LICENSE RENEWAL NOTICE.] At least 30 days before the license renewal date, the board shall send out a renewal notice to the last known address of the licensed traditional midwife on file. The notice must include a renewal application and a notice of fees required for renewal. It must also inform the licensed traditional midwife that licensure will expire without further action by the board if an application for license renewal is not received before the deadline for renewal. The licensed traditional midwife's failure to receive this notice shall not relieve the licensed traditional midwife of the obligation to meet the deadline and other requirements for license renewal. Failure to receive this notice is not grounds for challenging expiration of licensure status.

Subd. 9. [RENEWAL DEADLINE.] The renewal application and fee must be postmarked on or before July 1 or as determined by the board. If the postmark is illegible, the application shall be considered timely if received by the third working day after the deadline.

Subd. 10. [INACTIVE STATUS AND RETURN TO ACTIVE STATUS.] (a) A license may be placed in inactive status upon application to the board by the licensed traditional midwife and upon payment of an inactive status fee.

(b) Licensed traditional midwives seeking restoration to active from inactive status must pay the current renewal fees and all unpaid back inactive fees. They must meet the criteria for renewal specified in subdivision 6, including continuing education hours equivalent to one hour for each month of inactive status, prior to submitting an application to regain licensure status. If the inactive status extends beyond five years, a qualifying score on a credentialing examination, or completion of an advisory council-approved eight-week supervised practical experience is required. If the licensed traditional midwife intends to regain active licensure by means of eight weeks of advisory council-approved practical experience, the licensed traditional midwife shall be granted temporary licensure for a period of no longer than six months.

Subd. 11. [LICENSURE FOLLOWING LAPSE OF LICENSURE STATUS FOR TWO YEARS OR LESS.] For any individual whose licensure status has lapsed for two years or less, to regain licensure status, the individual must:

(1) apply for license renewal according to subdivision 6;

(2) document compliance with the continuing education requirements of section 147D.21 since the licensed traditional midwife's initial licensure or last renewal; and

(3) submit the fees required under section 147D.27 for the period not licensed, including the fee for late renewal.

Subd. 12. [CANCELLATION DUE TO NONRENEWAL.] The board shall not renew, reissue, reinstate, or restore a license that has lapsed and has not been renewed within two licensure renewal cycles starting July 1999. A licensed traditional midwife whose license is canceled for nonrenewal must obtain a new license by applying for licensure and fulfilling all requirements then in existence for initial licensure as a licensed traditional midwife.

Subd. 13. [CANCELLATION OF LICENSURE IN GOOD STANDING.] (a) A licensed traditional midwife holding an active license as a licensed traditional midwife in the state may, upon approval of the board, be granted licensure cancellation if the board is not investigating the person as a result of a complaint or information received or if the board has not begun disciplinary proceedings against the licensed traditional midwife. Such action by the board shall be reported as a cancellation of licensure in good standing.

(b) A licensed traditional midwife who receives board approval for licensure cancellation is not entitled to a refund of any license fees paid for the licensure period in which cancellation of the license occurred.

(c) To obtain licensure after cancellation, a licensed traditional midwife must obtain a new license by applying for licensure and fulfilling the requirements then in existence for obtaining an initial license as a traditional midwife.

Sec. 10. [147D.19] [BOARD ACTION ON APPLICATIONS FOR LICENSURE.]

(a) The board shall act on each application for licensure according to paragraphs (b) to (d).

(b) The board shall determine if the applicant meets the requirements for licensure under section 147D.17. The board or advisory council may investigate information provided by an applicant to determine whether the information is accurate and complete.

(c) The board shall notify each applicant in writing of action taken on the application, the grounds for denying licensure if licensure is denied, and the applicant's right to review under paragraph (d).

(d) Applicants denied licensure may make a written request to the board, within 30 days of the board's notice, to appear before the advisory council and for the advisory council to review the board's decision to deny the applicant's license. After reviewing the denial, the advisory council shall make a recommendation to the board as to whether the denial shall be affirmed. Each applicant is allowed only one request for review per licensure period.

Sec. 11. [147D.21] [CONTINUING EDUCATION REQUIREMENTS.]

Subdivision 1. [NUMBER OF REQUIRED CONTACT HOURS.] Three years after the date of initial licensure and every three years thereafter, a licensed traditional midwife must complete a minimum of 30 contact hours of board-approved continuing education and attest to completion of continuing education requirements by reporting to the board. At least five contact hours within a three-year reporting period must involve adult cardiopulmonary resuscitation and either infant cardiopulmonary resuscitation or neonatal advanced life support.

Subd. 2. [APPROVAL OF CONTINUING EDUCATION PROGRAMS.] The board shall approve continuing education programs that meet the following criteria:

(1) the program content directly relates to the practice of traditional midwifery;

(2) each member of the program faculty is knowledgeable in the subject matter as demonstrated by a degree from an accredited education program, verifiable experience in the field of traditional midwifery, special training in the subject matter, or experience teaching in the subject area;

(3) the program lasts at least one contact hour;

(4) there are specific, measurable, written objectives, consistent with the program, describing the expected outcomes for the participants; and

(5) the program sponsor has a mechanism to verify participation and maintains attendance records for three years.

Subd. 3. [CONTINUING EDUCATION TOPICS.] Continuing education program topics may include, but are not limited to, traditional midwifery care in the prenatal, labor, birth, and postpartum and newborn periods; assessing contraindications; care in emergency situations; ethics; and nutrition.

Subd. 4. [ACCUMULATION OF CONTACT HOURS.] A licensed traditional midwife may not apply contact hours acquired in one three-year reporting period to a future continuing education reporting period.

Subd. 5. [VERIFICATION OF CONTINUING EDUCATION CREDITS.] The board shall periodically select a random sample of licensed traditional midwives and require those licensed traditional midwives to supply the board with evidence of having completed the continuing education to which they attested. Documentation may come directly from the licensed traditional midwife or from state or national organizations that maintain continuing education records.

Sec. 12. [147D.23] [DISCIPLINE; REPORTING.]

For purposes of this chapter, licensed traditional midwives and applicants are subject to the provisions of sections 147.091 to 147.162.

Sec. 13. [147D.25] [ADVISORY COUNCIL ON LICENSED TRADITIONAL MIDWIFERY.]

Subdivision 1. [MEMBERSHIP.] The board shall appoint a five-member advisory council on licensed traditional midwifery. One member shall be a licensed physician who has been or is currently consulting with licensed traditional midwives, appointed from a list of names submitted to the board by the Minnesota Medical Association. Three members shall be licensed traditional midwives appointed from a list of names submitted to the board by Midwifery Now. One member shall be a homebirth parent appointed from a list of names submitted to the board by Minnesota Families for Midwifery.

Subd. 2. [ORGANIZATION.] The advisory council shall be organized and administered under section 15.059. The council expires June 30, 2003.

Subd. 3. [DUTIES.] The advisory council shall:

- (1) advise the board regarding standards for licensed traditional midwives;
- (2) provide for distribution of information regarding licensed traditional midwifery practice standards;
- (3) advise the board on enforcement of this chapter;
- (4) review applications and recommend granting or denying licensure or license renewal;
- (5) advise the board on issues related to receiving and investigating complaints, conducting hearings, and imposing disciplinary action in relation to complaints against licensed traditional midwives;
- (6) advise the board regarding approval of continuing education programs using the criteria in section 147D.21, subdivision 2;
- (7) recommend alternate accrediting and credentialing organizations or agencies to the board; and
- (8) perform other duties authorized for advisory councils by chapter 214, as directed by the board.

Sec. 14. [147D.27] [FEES.]

Subdivision 1. [LICENSURE FEE.] The license application fee is \$100. The fee for initial licensure and annual renewal is \$100. The fee for inactive status is \$50. The fee for a temporary permit is \$75.

Subd. 2. [PRORATION OF FEES.] The board may prorate the initial licensure fee. All licensed traditional midwives are required to pay the full fee upon license renewal.

Subd. 3. [PENALTY FEE FOR LATE RENEWALS.] An application for license renewal submitted after the deadline must be accompanied by a late fee of \$75 in addition to the required fees.

Subd. 4. [NONREFUNDABLE FEES.] The fees in this section are nonrefundable.

Sec. 15. [APPROPRIATION.]

\$8,000 is appropriated for fiscal year 2000 and \$4,000 is appropriated for fiscal year 2001 from the state government special revenue fund to the board of medical practice for the licensure and regulation of traditional midwives as required under Minnesota Statutes, chapter 147D.

Sec. 16. [REPEALER.]

Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32, are repealed.

Minnesota Rules, parts 5600.2000; and 5600.2100, are repealed."

We request adoption of this report and repassage of the bill.

Senate Conferees: SANDRA L. PAPPAS, LEO T. FOLEY AND MICHELLE L. FISCHBACH.

House Conferees: JIM ABELER, KAREN CLARK AND MARY ELLEN OTREMBA.

Abeler moved that the report of the Conference Committee on S. F. No. 383 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 383, A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Haas	Koskinen	Molnau	Reuter
Abrams	Dehler	Hackbarth	Kubly	Mullery	Rifenberg
Anderson, B.	Dempsey	Harder	Kuisle	Munger	Rostberg
Anderson, I.	Dorman	Hasskamp	Larsen, P.	Murphy	Rukavina
Bakk	Dorn	Hausman	Larson, D.	Ness	Schumacher
Biernat	Entenza	Hilty	Leighton	Nornes	Seagren
Bishop	Erhardt	Holberg	Lenczewski	Olson	Seifert, J.
Boudreau	Erickson	Holsten	Leppik	Opatz	Seifert, M.
Bradley	Finseth	Howes	Lieder	Orfield	Skoe
Broecker	Folliard	Huntley	Lindner	Osskopp	Skoglund
Buesgens	Fuller	Jaros	Luther	Otremba	Smith
Carlson	Gerlach	Jennings	Mahoney	Ozment	Solberg
Carruthers	Gleason	Johnson	Mares	Paulsen	Stanek
Cassell	Goodno	Juhnke	Mariani	Pawlenty	Stang
Chaudhary	Gray	Kahn	Marko	Paymar	Storm
Clark, J.	Greenfield	Kalis	McCollum	Pelowski	Swenson
Clark, K.	Greiling	Kelliher	McElroy	Peterson	Sykora
Daggett	Gunther	Kielkucki	McGuire	Pugh	Tingelstad
Davids	Haake	Knoblach	Milbert	Rest	Tomassoni

Trimble	Van Dellen	Wejcman	Westfall	Winter	Spk. Sviggum
Tuma	Vandever	Wenzel	Westrom	Wolf	
Tunheim	Wagenius	Westerberg	Wilkin	Workman	

Those who voted in the negative were:

Krinkie Mulder

The bill was repassed, as amended by Conference, and its title agreed to.

MOTIONS AND RESOLUTIONS

Biernat moved that the name of Skoglund be added as an author on H. F. No. 2432. The motion prevailed.

Molnau moved that S. F. No. 1721 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Ways and Means. The motion prevailed.

Gerlach moved that H. F. No. 1347 be returned to its author. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 12:30 p.m., Thursday, May 6, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:30 p.m., Thursday, May 6, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives